



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,211	08/29/2003	Seppo Pyhalammi	004770.00130	7632
22907 7590 09/13/2010 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051				
EXAMINER				
TSUL, WILSON W				
ART UNIT		PAPER NUMBER		
2178				
MAIL DATE		DELIVERY MODE		
09/13/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

10/651,211

Examiner

WILSON TSUI

Applicant(s)

PYHALAMMI ET AL.

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to pre-appeal filed on: 04/29/10, and Examiner Initiated Interview on: 06/08/10.
2. ☒ The allowed claim(s) is/are 14-16, 18-20, 22-37, 48, 49, 51, 52, 54-56, 58-60 and 62-67.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

DETAILED ACTION

1. This supplemental notice of allowance is in response to the pre-appeal brief filed on: 04/29/10, and an Examiner-initiated Interview on: 06/08/10 (this supplemental corrects spelling mistakes made in the action sent out on 06/22/10).
2. Claims 14-16, 18-20, 22-37, 48-49, 51, 52, 54-56, 58-60, and 62-67 are pending. Claims 1-13, 17, 21, 38-47, 50, 53, 57, and 61 are cancelled.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark E. Wilinski on June, 08 2010.

Replace entire Claim 14 with:

14. An apparatus comprising:
a memory;
a communications interface configured to connect to a user device through a communication network; and
a processor configured to:

control storage, in the memory, of at least one image received from the user device through the communication network, each received image having associated metadata categorizing said image according to at least two schemes, wherein

said at least two schemes include at least one of an image date, an image location and one or more image subjects, and

each image is stored in a database in the memory, the database including at least one virtual folder corresponding to each of the at least two metadata schemes, each image being stored in a single location within the memory, each virtual folder including a pointer to the image location;

identify a calendar entry in a calendar application based on the image date of the at least one image;

provide a suggestion for entering a metadata subject field of the at least one image based on the calendar entry;

control providing of a user interface with the at least one virtual folder corresponding to each of the at least two metadata schemes;

control displaying in the user interface simultaneous indications of years, months and days that are available for sequential user selection;

control displaying of an indication of the selectable years for which there are stored images having metadata corresponding to an indicated year;

control displaying of an indication of the selectable months for which there are stored images having metadata corresponding to an indicated month; and

control displaying of an indication of the selectable days for which there are stored images having metadata corresponding to an indicated day.

Replace entire Claim 48 with:

48. A machine-readable medium having machine-executable instructions that, when executed, cause a machine to perform:

controlling storage of images transmitted through a communication network in a memory, each image having associated metadata categorizing said image according to at least two schemes, wherein

said at least two schemes include at least one of an image date, an image location and one or more image subjects, and

the images are stored in a database having at least one virtual folder corresponding to each of the at least two metadata schemes, a copy of each image being stored in a single location within the memory, each virtual folder including a pointer to the image location,

identifying a calendar entry in a calendar application based on the image date of at least one image,

providing a suggestion for entering a metadata subject field of the at least one image based on the calendar entry,

controlling providing of a user interface with the at least one virtual folder,

controlling displaying in the user interface simultaneous indications of years, months and days that are available for sequential user selection,

controlling displaying of an indication of the selectable years for which there are stored images having metadata corresponding to an indicated year,

controlling displaying of an indication of the selectable months for which there are stored images having metadata corresponding to an indicated month, and

controlling displaying of an indication of the selectable days for which there are stored images having metadata corresponding to an indicated day.

Replace entire Claim 54 with:

54. A method comprising:

storing images in a database in a memory, each image having associated metadata categorizing said image according to at least two schemes, the database including at least one virtual folder corresponding to each of the at least two metadata schemes, a copy of each image being stored in a single location within the memory, each virtual folder including a pointer to the image location,

identifying, by a processor, a calendar entry in a calendar application based on an image date of at least one image,

providing a suggestion for entering a metadata subject field of the at least one image based on the calendar entry,

controlling providing of a user interface with the at least one virtual folder,

controlling displaying in the user interface simultaneous indications of years, months and days that are available for sequential user selection,

controlling displaying of an indication of the selectable years for which there are stored images having metadata corresponding to an indicated year,

controlling displaying of an indication of the selectable months for which there are stored images having metadata corresponding to an indicated month, and

controlling displaying of an indication of the selectable days for which there are stored images having metadata corresponding to an indicated day.

Replace entire Claim 64 with:

64. An apparatus comprising:

a memory;

a communications interface configured to connect to a user device through a communication network; and

a processor configured to:

store, in the memory, at least one image received from the user device through the communication network, each received image having associated metadata categorizing said image according to at least two schemes, wherein said at least two schemes include at least one of an image date, an image location and one or more image subjects, and each image is stored in a database in the memory, the database including at least one virtual folder corresponding to each of the at least two metadata schemes, each image being stored in a single location within the memory, and each virtual folder including a pointer of the each image to the image location, wherein the processor is configured to identify, after selection of an image in one virtual folder by a

user, other images having metadata in common with the selected image, wherein the common metadata is metadata other than the metadata utilized to initially create the virtual folder,

identify a calendar entry in a calendar application based on the image date of the at least one image;

provide a suggestion for entering a metadata subject field of the at least one image based on the calendar entry,

control providing a user interface with the at least one virtual folder;

control displaying in the user interface simultaneous indications of years, months and days that are available for sequential user selection;

control displaying of an indication of the selectable years for which there are stored images having metadata corresponding to an indicated year;

control displaying of an indication of the selectable months for which there are stored images having metadata corresponding to an indicated month; and

control displaying of an indication of the selectable days for which there are stored images having metadata corresponding to an indicated day.

Replace entire Claim 65 with:

65. A method comprising:

storing images in a database in a memory, each image having associated metadata categorizing said image according to at least two schemes, the database including at least one virtual folder corresponding to each of the at least two metadata

schemes, a copy of each image being stored in a single location within the memory, each virtual folder including a pointer to the image location, wherein processor is configured to identify, after selection of an image in one virtual folder by a user, other images having metadata in common with the selected image, wherein the common metadata is metadata other than the metadata utilized to initially create the virtual folder,

identifying, by a processor, a calendar entry in a calendar application based on an image date of at least one image,

providing a suggestion for entering a metadata subject field of the at least one image based on the calendar entry,

controlling providing of a user interface with the at least one virtual folder,

controlling displaying in the user interface simultaneous indications of years, months and days that are available for sequential user selection,

controlling displaying of an indication of the selectable years for which there are stored images having metadata corresponding to an indicated year,

controlling displaying of an indication of the selectable months for which there are stored images having metadata corresponding to an indicated month, and

controlling displaying of an indication of the selectable days for which there are stored images having metadata corresponding to an indicated day.

Allowable Subject Matter

4. Claims 14-16, 18-20, 22-37, 48-49, 51, 52, 54-56, 58-60 and 62-67 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to the independent claims 1, 48, 54, 64, and 65, they now include language that clarifies how a metadata subject field for an image is suggested to the user. More specifically, the "suggestion for a metadata subject field", is more specifically clarified to explain that the suggestion is for *entering* a metadata subject field for an image. The clarification of the language differentiates the current independent claims from the database calendar applications cited in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILSON TSUI whose telephone number is (571)272-7596. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art
Unit 2178

/Wilson Tsui/
Patent Examiner
Art Unit: 2178
September 02, 2010